

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

PS – I&CAD Dept – Irregularities in execution of works of Excavation of Left Main Canal Including construction of CM & CD works of formation of New MI Tank across Varahalagudda Near Chinamarik (V), Parvathipuram (M), Vizayanagaram Dist. – Finalization of Disciplinary Proceedings on Sri A.Chandra Sekhara Rao, EE(Rtd) – Imposition of a penalty of 10% cut in pension for a period of 2 years on the individual – Orders – Issued.

---

IRRIGATION & CAD (SER.VII(V&E-2) DEPARTMENT

G.O.Ms.No.1370

Dated:18 -10-2008

Read the following:

- 1.G.O.Rt.No.1341, I&CAD (CAD.Ser.II) Dept, dt.22.11.2003.
- 2.G.O.Rt.No.973, I&CAD(V&E-2) Dept, dt.13.8.2004.
- 3.From Smt. Chandana Khan, I.A.S., Commissioner of Inquiries, G.A. Department D.O.Lr.No.10/ COI. CK/ 2004, Dt.4.4.2005.
4. Memo.No. 13146/ Ser.VII (V&E-2)/2003-3, dt. 19-11-2005
5. From Sri A. Chandra Sekhara Rao, EE(Rtd) representation dated 16-01-2006
6. G.O.ms.No. 174, I& CAD (Ser.VII (V&E-2) dept, dt. 03-10-2007.
7. Orders of the Hon`ble APAT in O.A.No.s 8193/ 07 and 930/2008.
8. Govt. Memo No. 13146/Ser.VII.(V&E-2)/2003-15, Dt. 15-7-2008.
9. Representation of the Sri Sri A. Chandra Sekhara Rao, EE(Rtd), Dt. 28-7-2008.

\* \* \*

**ORDER:**

In the reference 1<sup>st</sup> read above, departmental action has been initiated against Sri A.Chandra Sekhara Rao, EE(Rtd) for his misconduct and dereliction of duties by violating Rule 3 of A.P.C.S.(Conduct) Rules, 1964 in execution of work of excavation of Left Main Canal, including construction of C.M & C.D. works of formation of new MI Tank across Varahalagedda near Chinamarika(V) in Paravthipuram (M), by framing Articles of charge.

2. In the reference 2<sup>nd</sup> read above, Smt.Chandana Khan, IAS., Commissioner of Inquiries, General Administration Department has been appointed as Inquiring Authority to conduct departmental inquiry into the charges framed against Sri A. Chandrasekhara Rao, EE(FAC) and (3) others. The Inquiring Authority has conducted the inquiry and submitted report in the reference third read above. After careful examination of the enquiry report, Government have decided to deviate the findings of the Inquiring Authority on certain reasons.

3. In the reference 4<sup>th</sup> read above, while communicating the enquiry report along with the reasons for deviation , Sri A.Chandra Sekhara Rao, EE (Rtd) has been directed to furnish his representation/ explanation on the decision of the Government. In the reference 5<sup>th</sup> read above, Sri A.Chandra Sekhara Rao, EE(Rtd) has submitted his representation.

4. After careful examination of the representation of the charged officer , and after obtaining the concurrence of APPSC, orders were issued imposing a punishment of 10% cut in pension for a period of (2) years on Sri A.Chandra sekhar Rao, EE(Rtd) vide reference 6<sup>th</sup> read above.

5. Aggrieved by the orders of the Government two other delinquent officers viz, Sri G.V. Raghu and Sri D. Sudhakra Rao, DEE have filed O.A.No.s 8193/2007 and 930/2008 respectively before the Hon`ble APAT.

6. In the reference 7<sup>th</sup> read above, in its common Judgment, the Hon`ble APAT, while setting – aside the orders of the Government, have remanded the matter to the disciplinary authority for passing appropriate orders after giving an opportunity of hearing to the applicants in terms of law and to complete the exercise within a period of eight weeks from the date of receipt of the copy. The operative part of the order of the Hon`ble APAT is extracted below ;

“It is an anticipated fact that, the applicants have not been given any opportunity of hearing before passing the impugned orders of punishment in accordance with the law as extracted above. Therefore, it is in violation of the principles of natural justice. Hence, the impugned orders in both the O.A.s are liable to be set aside and accordingly they are set aside and the matter is being remanded to the disciplinary authority for passing appropriate orders after giving opportunity of hearing to the applicants in terms of the law extracted above. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs. The O.A.s are allowed.’

7. Government have examined the matter in the light of the orders of the Hon`ble APAT and decided to act accordingly. Therefore in the reference 8<sup>th</sup> read above while setting aside the orders issued in the G.O. 6<sup>th</sup> read above, Sri A. Chandra Sekhara Rao, EE(Rtd), has been directed to submit his explanation / representation on the following observation of the Government,

“After careful examination of the enquiry report Government observes that the conclusion given by the COI in respect of Sri A. Chandra Sekhara Rao, EE(Rtd) which ex-facie contradicts the finding of supervisory lapse and partial responsibility for the failure to renew the bank guarantees, is with reference to the contents of the charge. The charge centers on the inaction in renewing the bank guarantees and the responsibility for the consequential loss. In the event, even if the CO., is found to be guilty of supervisory lapse and only partly responsible for the loss, it may not be reasonable to conclude that the charge is not proved. The charge has to be held atleast partly proved. Hence, the conclusion of the inquiry authority is differing to the extent mentioned above and the charge has to be considered as held partly proved “.

8. In the reference 9<sup>th</sup> read above, Sri A.Chandra Sekhara Rao, EE(Rtd) has submitted his representation on the above observations of the Government. In his representation the individual has accepted the penalty imposed on him vide reference 6<sup>th</sup> read above and requested to release his pensionary benefits at an early date.

9. Government, after considering the matter decided to impose a penalty of 10% cut in pension for a period of 2 years on Sri A.Chandra Sekhara Rao, EE(Rtd) and accordingly, order to impose a penalty of 10% cut in pension for a period of 2 years on Sri A.Chandra Sekhara Rao, EE(Rtd).

10. The ENC (AW), I&CAD Dept. Hyderabad shall take necessary action for early release of the pensionary benefits of the individual.  
(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**S.P.TUCKER**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Sri A. Chandrasekhara Rao, Executive Engineer(FAC)- through Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.(w.e)  
The I&CAD (Ser.II) Department.  
Copy to:  
The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.  
The Accountant General, AP, Hyderabad.  
The Secretary, APPSC, Hyderabad.  
The Secretary, APVC, Hyderabad.  
The General Administration (V&E) Department.  
The Govt. Pleader for I & CAD, APAT, Hyderabad

//FORWARDED : : BY ORDER//

SECTION OFFICER